

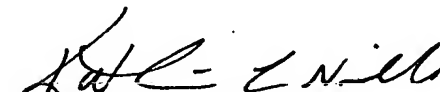


PATENT
Attorney Docket No. 27866/34162A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:)
Kilgannon *et al.*)
Serial No.: 10/025,524)
Filed: December 18, 2001)
For: ICAM-4 Materials and Methods)
Group Art Unit: 1645)
Examiner: P. Duffy)

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, on this date: March 10, 2004


Katherine L. Neville

**DECLARATION OF BIOLOGICAL DEPOSIT
IN COMPLIANCE WITH THE BUDAPEST TREATY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Katherine L. Neville, hereby state as follows:

1. I am an agent of record for the above-identified patent application, and as such I am authorized to act on behalf of ICOS, CORP., the assignee of the application, having its principal place of business at 22021 20th Ave. S.E., Bothell, Washington 98021.

2. ICOS, CORP. is the assignee of the above-identified patent application as evidenced by an assignment from the co-inventors, Patrick Kilgannon and Michael W. Gallatin, which was recorded in the U.S. Patent and Trademark Office on January 5, 1998 at Reel No. 8919, Frame No. 0194 of the Assignment Branch microfilm records.

3. The following hybridomas, described in the specification of the above-identified application at page 44, lines 10-14, were deposited with the American Type Culture Collection, 12301 Parklawn Drive, Rockville, MD 20852, under the terms of the Budapest Treaty:

<u>Hybridoma Designation</u>	<u>ATCC Strain Name</u>	<u>Date of Deposit</u>
179H	HB-12124	June 10, 1996
179I	HB-12123	June 10, 1996

4. The American Type Culture Collection is a depository in accordance with the Budapest Treaty for the above-deposited cultures. Should the cells mutate, become non-viable, non-functional, or be inadvertently destroyed, the assignee will replace such cells for at least thirty years from the date of the original deposit, or for at least five years from the date of the most recent request for release of a sample, or for the enforceable life of any patent issued on the above-identified application, whichever period is longest.

5. The deposit has been made under conditions of assurance of (a) ready accessibility thereto by the public if an enforceable patent is granted whereby all restrictions to the availability to the public of the cell lines so deposited will be irrevocably removed upon the granting of the patent, and (b) access to the cell lines will be available during pendency of the patent application to one determined by the Commissioner for Patents to be entitled thereto under applicable statutes and regulations.

6. All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MARSHALL, GERSTEIN & BORUN LLP
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
Telephone: (312) 474-6300

March 10, 2004

By



Katherine L. Neville,
Reg. No. 53,379
Agent for Applicants



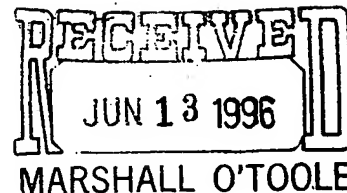
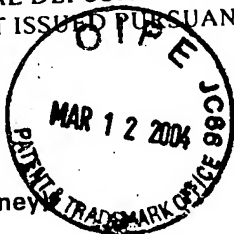
American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301) 231-5520 Telex: 908-768 ATCCROVE • FAX: 301-816-4366

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2



To: (Name and Address of Depositor or Attorney)

ICOS Corporation
Attn: Judith A. Woods
22021 20th Avenue, S.E.
Bothell, WA 98021

Deposited on Behalf of: ICOS Corporation

Identification Reference by Depositor:

ATCC Designation

Hybridoma cell line 179I
Hybridoma cell line 179H

HB-12123
HB-12124

The deposits were accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposits were received June 4, 1996 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

☒ We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested June 6, 1996. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: June 10, 1996

✓cc: Joe Williams (Client No. 27866)